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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

GARRETT JENKINS, BUFORD BROWN,
 CRUZ CASTILLO, and GERMAINE
 VAUGHN, individually, and on behalf of all
 others similarly situated,

 Plaintiffs,

 vs.

 THE WHITESTONE GROUP, INC., and
 DOES 1 through 50 inclusive,

Defendants.

) CASE NO. 14-CV-04920-RS
)
) PROPOSED CLASS ACTION
)
) [Honorable Richard Seeborg]

) **STIPULATION TO REMAND**
) **REMOVED ACTION AND**
) **~~PROPOSED~~ ORDER**

1 Plaintiffs Garrett Jenkins, Buford Brown, Cruz Castillo, and Germaine Vaughn
2 (“Plaintiffs”), and Defendant Whitestone Group, Inc. (“Defendant”), (Plaintiffs and Defendant
3 are collectively referred to hereafter as “The Parties”) by and through their counsel, hereby
4 stipulate as follows:

5 1. On or about September 30, 2014, Plaintiffs filed a complaint against Defendant in
6 the Superior Court of California, County of San Francisco, entitled *Jenkins, et al. v. Whitestone*
7 *Group, Inc.*, Case No. CGC-14-541930 (hereinafter, “The Action”).

8 2. On November 5, 2014, Defendant removed the Action to the Northern District of
9 California, on the basis of diversity jurisdiction. Defendant also believed that the United States
10 District Court for the Northern District of California had original jurisdiction under the Class
11 Action Fairness Act of 2005 (“CAFA”), in that (1) the amount in controversy exceeds \$5
12 million; (2) there is minimal diversity, where at least one plaintiff is diverse from one defendant;
13 and (3) the monetary claims of 100 or more plaintiffs are proposed to be tried jointly on the
14 grounds that the plaintiffs’ claim involve common questions of law of fact. (See 28 U.S.C.
15 § 1332(d).)

16 3. On June 1, 2015, the Parties reached a stipulated settlement of all claims, which
17 Plaintiffs submitted to the Court for preliminary approval on July 20, 2015. Defendant filed a non-
18 opposition to Plaintiffs’ motion on July 28, 2015.

19 4. On August 17, 2015, Counsel for both Parties met and conferred regarding
20 Defendant’s basis for removal and the pending settlement, and the Parties agree that the United
21 States District Court for the Northern District of California does not have subject matter
22 jurisdiction over the Action, and that the Action should be remanded to the San Francisco
23 County Superior Court, where it was originally filed.

24 5. Therefore, the parties respectfully request that the Court remand this Action to the
25 San Francisco County Superior Court.

26 ///

27 ///

28 ///

1 Dated: August 17, 2015

NICHOLS KASTER, LLP
BRYAN SCHWARTZ LAW

2
3 By: /S/ Daniel Brome
4 Matthew C. Helland
5 Daniel S. Brome
6 Bryan Schwartz
7 Adetunji Olude

Attorneys for Plaintiffs
Individually and all others similarly situated

8 Dated: August 17, 2015

GORDON & REES LLP

9
10 By: /S/ Hieu Tran
11 Michael A. Laurenson
12 Mollie M. Burks
13 Hieu Tran
14 Attorneys for Defendant
15 THE WHITESTONE GROUP, INC.

16 **[PROPOSED] ORDER**

17 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Parties shall comply with
18 the above stipulation's provisions.

19 Dated: 8/18/15

20 

UNITED STATES DISTRICT JUDGE